

Patent Application Serial No. 10/672,181
Atty. Docket No. 2003-0067-01

REMARKS

In the Final Office Action dated August 3, 2005, claims 33 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hori et al 6,810,061 in view of Ujazdowski et al 6,654,403. Also, the Examiner has rejected claims 34 and 36 as being dependent upon a rejected base claim, but has indicated that these claims would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. In addition, the Examiner has allowed claims 1, 3, 4, 17, 19 and 20.

In response to the Final Office Action, arguments were presented by applicant in a Response to Final Office Action dated October 3, 2005, to distinguish claim 33 from the cited art. These arguments were rejected by the Examiner in an Advisory Action dated October 11, 2005.

In response to the Advisory Action, Applicant has filed this Request for Continued Examination (RCE). Enclosed herewith is an RCE transmittal and an RCE fee. Also in response, independent claim 33 has been amended to now recite, *inter alia*, a gas discharge electrode comprising an electrode body having an upper curved region containing the discharge footprint for the electrode consisting essentially of copper and a lower portion comprising a copper alloy. Support for this amendment is found on page 24, lines 12-22 and in Fig. 18 of the originally filed application.

Claims 1, 3, 4, 17, 19, 20 and 33-36 remain pending.

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Rejections under 35 U.S.C. § 103(a)

In the Final Office Action, claims 33 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hori et al 6,810,061 in view of Ujazdowski et al 6,654,403. Also, the Examiner has indicated that dependent claims 34 and 36 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

As amended, independent claim 33 now recites, *inter alia*, a gas discharge electrode comprising an electrode body having an upper curved region containing the discharge footprint for the electrode *consisting essentially of* copper and a lower portion comprising a copper alloy. No such structure or cooperation of structure is either taught or suggested by the cited references, (i.e. Hori et al or Ujazdowski et al), taken alone or in combination. Specifically, neither reference discloses an electrode having an upper region *consisting essentially of* copper and a lower portion comprising a copper alloy. Instead, Hori et al. discloses an electrode having a copper fluoride layer and Ujazdowski et al. discloses an electrode having a brass upper region.

In view of the arguments presented above for distinguishing amended independent claim 33 of the present invention from the cited references, Attorney for Applicant respectfully contends that independent claim 33 is now allowable. Accordingly, since rejected claims 34-36 respectively depend either directly or indirectly from independent claim 33, these claims are also allowable. In conclusion, Applicant respectfully asserts that claims 1, 3, 4, 17, 19, 20 and 33-36

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are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at (858)-385-5298 for any reason that would advance the instant application to issue.

Respectfully submitted,



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